

**Regular Pickens County Council Meeting**

November 7, 2022

6:30 PM

County Council met in regular session, in the Auditorium of the County Administration Facility, with Chairman Chris Bowers presiding. Final agendas, bearing date, time, and location of meeting were mailed to members of council and local news media on November 3, 2022.

Council Members in Attendance:

Chris Bowers, Chairman  
Roy Costner, Vice Chairman  
Trey Whitehurst, Vice Chairman Pro-Tem  
Alex Saitta  
Ensley Feemster  
Henry Wilson

Staff in Attendance:

Ken Roper, County Administrator  
Les Hendricks, Contract Attorney  
Meagan Nations, Clerk to Council

**WELCOME AND CALL TO ORDER:**

Chairman Chris Bowers called the meeting of November 7, 2022 to order and welcomed those in attendance. Chairman Chris Bowers led the Invocation and Veteran Walt Carter led the Pledge of Allegiance.

Chairman Bowers presented Veteran Carter with a Certification of Honor and thanked him for his service.

**PUBLIC FORUM:**

Chairman Chris Bowers opened the Public Forum and requested the Clerk to call upon the citizens signed up to speak.

1. Ellen Akers: Ms. Akers addressed Council regarding the Highway 11 Ordinance.
2. Rick Huffman: Mr. Huffman addressed Council regarding the Highway 11 Ordinance.
3. Linda Esposito: Ms. Esposito addressed Council regarding the Highway 11 Ordinance.
4. Matt Chappell: Mr. Chappell addressed Council regarding the Highway 11 Ordinance.
5. Jan McCrary: Ms. McCrary addressed Council regarding the Highway 11 Ordinance.
6. Elizabeth Meyers: Ms. Meyers addressed Council regarding Highway 11 Ordinance.
7. Kevin Keller: Mr. Keller addressed Council regarding the Highway 11 Ordinance.
8. Bonnie Hiltner: Ms. Hiltner addressed Council regarding the Highway 11 Ordinance.

- 9. Melanie Synakowski: Ms. Synakowski addressed Council regarding the Highway 11 Ordinance.
- 10. Rev. Greg Ramsey: Mr. Ramsey addressed Council regarding the Highway 11 Ordinance.
- 11. Mary Mortan: Ms. Mortan addressed Council regarding the cat overpopulation and expanding the Animal Shelter cat voucher program.
- 12. Margaret Thompson: Ms. Thompson addressed Council to give an update on Clemson Paw Partners.
- 13. Nan Gaught: Ms. Gaught addressed Council regarding the Highway 11 Ordinance.

#### **APPROVAL OF MINUTES:**

Chairman Chris Bowers called for a motion to approve the following minutes as presented:

- October 3, 2022 Regular-Called Council Meeting
- Motion was made by Councilman Ensley Feemster, and seconded by Councilman Alex Saitta. Seeing no other discussion, the motion carried unanimously (6-0).

#### **ADMINISTRATOR’S REPORT:**

Mr. Roper addressed Council on the following:

- Operation Green Light – Shine a Light of Hope and Support for Veterans
  - Veteran Specific Job Fair on November 9, from 9-11am, at the Adult Learning Center in Easley.
- Surplus Property Abandonment Information on 141 Quiet Lane and 201/205 Waterstone Drive
- Glass Recycling Pilot Program
- Solid Waste Permit Request

Council asked Mr. Roper questions that included, but was not limited to:

- New Shredder at Landfill
- Update on the three capital projects at Hagood Mill
- Cat Voucher Program (*as mentioned in Public Forum*)

#### **COMMITTEE REPORT:**

**The Committee of the Whole met in Council Chambers, at the Pickens County Administration Facility, on Monday, October 17, 2022. All members of the committee were in attendance, with Chairman Chris Bowers presiding.**

#### **WELCOME AND CALL TO ORDER:**

Chairman Chris Bowers called the Committee of the Whole meeting to order at 6:07 P.M., and Chairman Bowers led the Invocation and Pledge of Allegiance.

#### **COMMITTEE OF THE WHOLE:**

**COUNTY RADIO SYSTEM – Log No. 80**

- Mr. Roper stated that Council determined in previous Committee meetings that the first priority

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regarding ARPA funding was to try to come up with a solution to the County radio system. He stated we engaged a consultant to come in and study our current system to make recommendations on how to move forward with a new radio system. He stated that ARPA laws are very specific to where we have to have inquired the expense by December 31, 2024, and have to have completely expended our ARPA funds by December 31, 2025.

- Council, County Staff and McGriff Staff had discussion that included, but was not limited to:
  - Discussion on the three conceptual solutions presented:
    - Project 25 UHF Standalone System
    - Project 25 800 MHz Standalone System
    - Project 25 Palmetto 800 Existing System (with additional sites)
  - Partner with other Counties
  - How much money has been allocated towards this project -- \$14,000,000
  - Advantages vs. Disadvantages of each solution
  - Council would like a “cheat sheet” of pros vs. cons of each solution to better understand each system
- After much more discussion, Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
- ❖ **Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).**

**Council Action on Log No. 80:** Chairman Chris Bowers made a motion to put out an RFP for either/or the Project 25 UHF Standalone System and the Project 25 800 MHz Standalone System. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. He asked for all those in favor to please signify by raising your hands. Motion carried unanimously (6-0).

#### **COUNTY CONSTABLES AND CERTIFICATION PROCESS – Log No. 209**

- The Committee had very detailed discussion on Officer Certification for the Litter Control Officers. Discussion was included but was not limited to:
  - Review of Resolution 2021-24, *TO APPOINT CERTAIN COUNTY EMPLOYEES AS COUNTY CONSTABLES PURSUANT TO SECTION 4-9-145 OF THE SOUTH CAROLINA CODE OF LAWS*
  - Staff’s recommendation is for our Litter Officers and Code Enforcement Officers remain peace officers, and updating the existing litter ordinance to more closely match the state ordinance
  - Class 3 Officers vs. Constables
  - Review of Minutes from October 4, 2021 Council Meeting
  - Employee’s opinions on carrying
- After much discussion between Council & Staff, Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.
- ❖ **Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.**

**Council Action on Log No. 209:** Councilman Henry Wilson made a motion to table for future consideration. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Alex Saitta opposed.

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. He asked for all those in favor to please signify by raising your hands. Motion carried (5-1), with Councilman Alex Saitta opposed.

**AN ORDINANCE TO ESTABLISH STANDARDS AND LIMITATIONS ON FUTURE DEVELOPMENT ON THE SOUTH CAROLINA HIGHWAY 11 SCENIC BYWAY AND MATTERS RELATED THERETO – Log No. 205**

- The Committee had very detailed discussion on this Ordinance. Discussion was included but was not limited to:
  - Discussion on considerations for Council to consider (handout from the Attorney):
    - Area and Scope of Limitations
      - Name of Area: The Pickens County Natural Heritage Area name was created by staff
      - Size of Area
      - Size of Buffers
      - Exclusions from Buffers
      - Other Exclusions not in draft ordinance
    - Building and Site Design Limitations
      - Specific uses allowed
      - Specific design limitations
      - Agritourism
    - Conservation Bank
      - Council approves all grants
      - Criteria
      - No eminent domain
  - Discussion between Council & Staff that included, but was not limited to:
    - Conservation Bank Discussion
    - Moratorium
    - 250 ft. buffer discussion
    - Commercial design discussion
    - Properties impacted by 100ft buffer, 200ft buffer, etc. on Hwy 11 and back roads off of Hwy 11
- After much discussion between Council & Staff, Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. The recommendations are:
  - A 250ft buffer on Highway 11 (no limitation behind buffer)
  - Council to task Staff to get the total number of houses a 100ft buffer would effect on the backroads off of Highway 11
  - No industrial north of Highway 11
  - Establish a Conservation Bank (no \$)
  - Commercial design standards for anything north of Highway 11
  - To include exemptions as listed at major intersections (1, 2, and 3) for access to property behind the buffer and any private roads
- ❖ **Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. The recommendations are:**
  - **A 250ft buffer on Highway 11 (no limitation behind buffer)**
  - **Council to task Staff to get the total number of houses a 100ft buffer would effect on the backroads**

- off of Highway 11
- No industrial north of Highway 11
- Establish a Conservation Bank (no \$)
- Commercial design standards for anything north of Highway 11
- To include exemptions as listed at major intersections (1, 2, and 3) for access to property behind the buffer and any private roads

**Council Action on Log No. 205:** Councilman Trey Whitehurst made a motion for the following recommendations. Motion was seconded by Councilman Ensley Feemster and carried (5-1), with Councilman Henry Wilson opposed. The recommendations are:

- A 250ft buffer on Highway 11 (no limitation behind buffer)
- Council to task Staff to get the total number of houses a 100ft buffer would effect on the backroads off of Highway 11
- No industrial north of Highway 11
- Establish a Conservation Bank (no \$)
- Commercial design standards for anything north of Highway 11
- To include exemptions as listed at major intersections (1, 2, and 3) for access to property behind the buffer and any private roads

Chairman Bowers stated no second is required as this comes as a recommendation from the Committee. He opened the floor for discussion.

Council and Staff had detailed discussion that included, but was not limited to:

- Discussion on the (1, 2 and 3) roads and major intersections
- Number of properties impacted by 100ft setback in the northern part of county are 343 houses
- Commercial development
- Letter from Dennis Chastain, who is a property owner on Hwy 11 and a Historian of the area
- Maps of the 14 potential property owners who the setback will totally consume their properties
- Dates of First Reading and Second Reading of this Ordinance

Councilman Saitta went into discussion on why he will not be voting for this Ordinance for second reading.

- After much more discussion, Councilman Alex Saitta made an amendment to the original motion, stating he would like to make the moratorium permanent, and in the moratorium 660 feet single lots are allowed with no restrictions, small subdivisions of 10 homes are allowed within the 660 feet, residential only plus and minus 660 feet off the highway protecting the shoulder of the road, and no new manufacturing or commercial. He also would like to scratch the moratorium section 2C, which allows the Planning Commission to exempt anything at once. Chairman Bowers asked if there is a second. Due to no second, the motion dies.

After much more discussion between Council and Staff, the Chairman asked for all those in favor of the motion out of Committee to please signify by raising your hands. The motion carried (5-1), with Councilman Alex Saitta opposed.

**ADJOURN:**

Hearing no further Committee business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson and carried unanimously (6-0). Meeting was adjourned at 8:34 p.m.

### **COUNCIL CORRESPONDENCE:**

Chairman Chris Bowers announced the following:

- The Committee of the Whole meeting will take place on Monday, November 21, at 6:00 p.m. in the Main Conference Room of the Administration Facility.
- Non-Essential County Offices will be closed on Thursday, November 24 and Friday, November 25 for the Thanksgiving Holiday. Offices will reopen on Monday, November 28 at 8:00 AM.
- The next Council Meeting will be held on Monday, December 5, 2022 at 6:30 PM in Council Chambers of the Administration Building.
- There will be a Council Reception honoring outgoing Councilmembers Trey Whitehurst and Ensley Feemster on Monday, December 5, 2022 from 5-6pm in the Council Chamber Lobby.

Chairman Bowers called for other council correspondence. Seeing no other correspondence, Chairman Bowers announced moving to Motion Period and New Business.

### **MOTION PERIOD AND NEW BUSINESS:**

Chairman Chris Bowers opened the floor for motion period and new business.

Chairman Chris Bowers made a motion to recommit the Highway 11 Ordinance to the Committee of the Whole for further discussion. Motion was seconded by Vice Chairman Costner and carried unanimously (6-0).

Seeing no discussion, Chairman Bowers closed the floor.

### **CONSIDERATION OF A RESOLUTION 2022-28 CELEBRATING MILITARY FAMILY APPRECIATION MONTH IN CONJUNCTION WITH OPERATION GREEN LIGHT**

Chairman Chris Bowers asked for a motion to consider Resolution 2022-28.

- Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Roy Costner and carried unanimously (6-0).

### **CONSIDERATION OF A RESOLUTION 2022-29 ESTABLISHING A CITIZENSHIP AWARD FOR MERITORIOUS SERVICE FOR THE PEOPLE OF PICKENS COUNTY**

Chairman Chris Bowers asked for a motion to consider Resolution 2022-29.

- Motion was made by Vice Chairman Roy Costner, seconded by Councilman Henry Wilson. Chairman Bowers asked if there was any discussion.
  - Vice Chairman Costner amended the motion, stating he would like to change the name to Pinnacle Citizenship Award for the people of Pickens County. Motion was seconded by Councilman Ensley Feemster and carried unanimously (6-0).
- Seeing no other discussion, the motion carried unanimously (6-0).

### **CONSENT AGENDA**

1. Annual Capital Improvement Plan Update – *Committee of the Whole*

- Councilman Alex Saitta made a motion to approve the Consent Agenda. Councilman Ensley Feemster seconded the Motion and carried unanimously (6-0).

**EXECUTIVE SESSION: S.C. Code of Laws, Section 30-4-70 (a):**

Chairman Chris Bowers called for a motion to convene into Executive Session as defined by S.C. Code of Laws, Section 30-4-70 (a). Chairman Bowers further stated that each issue would be discussed as the Law provides.

Personnel – Section 30-4-70 (a) (1)

- Pinnacle Performer Program

Economic Development – Section 30-4-70 (a) (5)

- Project Efficiency

- Motion was made by Councilman Ensley Feemster, seconded by Vice Chairman Roy Costner and carried unanimously (6-0), to convene in executive session for the stated purposes after a five-minute recess.

**ACTION AS NEEDED VIA EXECUTIVE SESSION ITEMS:**

Chairman Chris Bowers called the Public Session back to Order and advised the following:

Personnel – Section 30-4-70 (a) (1)

- Pinnacle Performer Program – **No Action taken**

Economic Development – Section 30-4-70 (a) (5)

- Project Efficiency – **Chairman Chris Bowers made a motion to constitute first reading in title only of Project Efficiency. Motion was seconded by Councilman Henry Wilson and carried unanimously (6-0).**

**ADJOURN:**

Hearing no further Council business, Chairman Chris Bowers called for a motion to adjourn. Motion was made by Councilman Trey Whitehurst, seconded by Councilman Henry Wilson and carried unanimously (6-0). Pickens County Council stood adjourned at 8:46 p.m.

Respectively Submitted:

Approved:

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Meagan Nations, Clerk to Council

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Chris Bowers, Chairman of County Council